



General Assembly

February Session, 2012

***Amendment***

LCO No. 3748

**\*SB0036703748SR0\***

Offered by:

SEN. WITKOS, 8<sup>th</sup> Dist.

To: Subst. Senate Bill No. 367

File No. 425

Cal. No. 315

**"AN ACT CONCERNING PUBLIC INDECENCY IN A  
CORRECTIONAL INSTITUTION."**

1 After the last section, add the following and renumber sections and  
2 internal references accordingly:

3 "Sec. 501. Section 53a-186 of the general statutes is repealed and the  
4 following is substituted in lieu thereof (*Effective October 1, 2012*):

5 (a) A person is guilty of public indecency in the second degree when  
6 [he] such person performs any of the following acts in a public place:  
7 (1) An act of sexual intercourse as defined in subdivision (2) of section  
8 53a-65; or (2) a lewd exposure of the body with intent to arouse or to  
9 satisfy the sexual desire of the person; or (3) a lewd fondling or caress  
10 of the body of another person. For the purposes of this section, "public  
11 place" means any place where the conduct may reasonably be expected  
12 to be viewed by others.

13 (b) Public indecency in the second degree is a class B misdemeanor.

14 Sec. 502. (NEW) (*Effective October 1, 2012*) (a) A person is guilty of  
15 public indecency in the first degree when such person commits public  
16 indecency in the second degree as provided in subdivision (2) or (3) of  
17 subsection (a) of section 53a-186 of the general statutes, as amended by  
18 this act, knowing that such conduct will be viewed by a person under  
19 sixteen years of age.

20 (b) Public indecency in the first degree is a class D felony.

21 Sec. 503. Subdivision (2) of section 54-250 of the general statutes is  
22 repealed and the following is substituted in lieu thereof (*Effective*  
23 *October 1, 2012*):

24 (2) "Criminal offense against a victim who is a minor" means (A) a  
25 violation of subdivision (2) of section 53-21 of the general statutes in  
26 effect prior to October 1, 2000, subdivision (2) of subsection (a) of  
27 section 53-21, subdivision (2) of subsection (a) of section 53a-70,  
28 subdivision (1), (4), (8) or (10) or subparagraph (B) of subdivision (9) of  
29 subsection (a) of section 53a-71, subdivision (2) of subsection (a) of  
30 section 53a-72a, subdivision (2) of subsection (a) of section 53a-86,  
31 subdivision (2) of subsection (a) of section 53a-87, section 53a-90a,  
32 section 2 of this act, 53a-196a, 53a-196b, 53a-196c, 53a-196d, 53a-196e or  
33 53a-196f, (B) a violation of subparagraph (A) of subdivision (9) of  
34 subsection (a) of section 53a-71 or section 53a-92, 53a-92a, 53a-94,  
35 53a-94a, 53a-95, 53a-96 or 53a-186, as amended by this act, provided  
36 the court makes a finding that, at the time of the offense, the victim  
37 was under eighteen years of age, (C) a violation of any of the offenses  
38 specified in subparagraph (A) or (B) of this subdivision for which a  
39 person is criminally liable under section 53a-8, 53a-48 or 53a-49, or (D)  
40 a violation of any predecessor statute to any offense specified in  
41 subparagraph (A), (B) or (C) of this subdivision the essential elements  
42 of which are substantially the same as said offense."

This act shall take effect as follows and shall amend the following sections:

Sec. 501	<i>October 1, 2012</i>	53a-186
----------	------------------------	---------

Sec. 502	<i>October 1, 2012</i>	New section
Sec. 503	<i>October 1, 2012</i>	54-250(2)